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July 14, 2020

VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J. 7/16/2020

Document 1065 shall remain under seal visible only to the
selected parties.

Re: *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, MDL No. 2542;
Master Docket No. 1:14-md-02542-VSB: Request to File Under Seal

Dear Judge Broderick:

I write as counsel for Plaintiffs TreeHouse Foods, Inc., Bay Valley Foods, LLC, and Sturm Foods, Inc. (collectively, "TreeHouse") and in accordance with Your Honor's Individual Rules & Practices in Civil Cases 1.A and 5.B to request leave to file under seal limited portions of TreeHouse's Memorandum in Opposition to Keurig's Motion and Objections to Magistrate Judge's Order on Rule 15 Motion, which will be filed today with proposed redactions.

The highlighted portions of the Opposition contain references to or direct quotes from information Keurig, TreeHouse, or both have designated as confidential. Specifically, the highlighted portion of page 15 contains a quote from deposition testimony Keurig has designated as confidential pursuant to the Stipulated Amended Protective Order in this case. The highlighted portions on the remaining pages include references to or direct quotes from a settlement agreement TreeHouse and Keurig executed in a prior litigation, which contains a confidentiality provision. The proposed sealing is narrowly tailored to protect these confidentiality interests. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). Both this Court and Magistrate Judge Cave have previously granted the parties' requests to seal the same type of confidential information in their briefing on Keurig's initial motion to amend and Keurig's Rule 72 motion. *See* ECF 972 (sealing order for Keurig's opening brief); ECF 995 (sealing order for TreeHouse's opposition); ECF 1012 (sealing order for Keurig's reply brief); ECF 1058 (sealing order for Keurig's Rule 72 Motion). Accordingly, TreeHouse respectfully requests that the Court permit the filing of these limited portions of the Opposition under seal and to restrict access to the under seal versions to counsel for Keurig and TreeHouse.

Respectfully Submitted,

/s/ Aldo A. Badini

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Inc., Bay Valley Foods, LLC, and Sturm
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cc: Counsel for All Parties (via ECF)